

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO.240 OF 2004**

Raghunath Ganpat Jadhav & Ors.

...Appellants

Vs.

Vasant Shankar Patil & Ors.

...Respondents

Mr V.B. Rajure for the Appellants.

Mr Amit Borkar for the Respondent Nos.1a to 1f, 2 & 3.

CORAM : A. S. OKA, J.

DATE : APRIL 18, 2006.

P.C.:

1. Heard the Advocates appearing for the parties.

Following substantial questions of law arise:

(i) Whether the Appellate Court committed an error by holding that the original Defendants have established their title only on the basis of the sanad issued by the Revenue Authorities?

(ii) Whether the Appellate Court could have held that the Plaintiffs have failed to establish their title to the suit property especially when the points for determination framed by the Appellate Court show that the original Defendants had raised a plea of adverse possession?

2. Second Appeal is admitted on aforesaid substantial questions of law. Printing is dispensed with. The Appellants are directed to file a private paper-book alongwith sufficient number of copies thereof within a period of one year from today. If the paper-book is not filed within the stipulated period, the Appeal will stand dismissed for want of prosecution without further reference to the court.

JUDGE